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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/814,793	04/01/2004	Yo Hyun Song	1594.1432	4957

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EXAMINER

AYRES, TIMOTHY MICHAEL

ART UNIT	PAPER NUMBER
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3637

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/30/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/814,793

Applicant(s)

SONG ET AL.

Examiner

Timothy M. Ayres

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>4/1/04</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

This is a first office action on the merits of application SN 10/814,793.

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3, 5, and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent 3,491,501 to Lundgreen. Lundgreen teaches covers (1,6) for a door. The upper cover (1) has holes (5a, 5b) to receive protuberances (8a, 8b) on the side cover (6). Figure 1 shows the upper left connection as an example of the joint for all four corners to close around a glass plate fit into the U-formed portion (11) to create a door. The refrigerator and storage chamber are part of the preamble while the claims are directed to just the door, thereby the door of Lundgreen is considered capable of ebbing used for a refrigerator.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 4 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 3,491,501 to Lundgreen in view of US Patent Publication 2001/0003408 to Otto. Lundgreen discloses every element as claimed and discussed above except a grip formed integrally with one of the side covers. Otto teaches a glass refrigerator door (11,12) for a display case. As seen in figure 1, a handle is integrally formed on the covers of the doors. At the time of the invention it would have been obvious for a person of ordinary skill in the art to provide a grip on one of the side covers to allow the door to be easily opened.

6. Claims 4 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 3,491,501 to Lundgreen in view of US Patent 3,773,399 to Sulcek. Lundgreen discloses every element as claimed and discussed above except a grip formed integrally with one of the side covers. Suleck teaches a door structure for a refrigerator that include a cover (47) with an integrally formed grip (48). At the time of the invention it would have been obvious for a person of ordinary skill in the art to provide a grip on one of the side covers to allow the door to be easily opened.

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7. Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Publication 2005/0006997 to Yoshioka in view of US Patent 3,491,501 to Lundgreen. Yoshioka teaches a refrigerator door with upper (4a), lower (5a), and side (2a, 3a) covers surrounding a main body (23) as seen in figure 3. Side cover (3a) has an integrally formed grip (37). The side cover (2a) has a hole (32) to receive a screw (32) extending through a hole (35) in the top cover (4a). Yoshioka does not expressly disclose the upper and lower covers including pairs of holes to receive protuberances from the side covers. Lundgreen teaches covers (1,6) for a door. The upper cover (1) has holes (5a, 5b) to receive protuberances (8a, 8b) on the side cover (6). Figure 1 shows the upper left connection as an example of the joint for all four corners to close around a glass plate fit into the U-formed portion (11) to create a door. At the time of the invention it would have been obvious for a person of ordinary skill in the art to modify the door of Yoshioka by adding protuberances and holes as taught by Lundgreen to provide a simpler and more rigid edge joint.

8. Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Korean Patent 425846 to Lee in view of US Patent 3,491,501 to Lundgreen. Lee teaches a refrigerator door with upper (23), lower (28), and side (41, 35) covers surrounding a main body (11) as seen in figure 3 and 5. Side cover (41) has an integrally formed grip (42c). Lee does not expressly disclose the upper and lower covers including pairs of holes to receive protuberances from the side covers. Lundgreen teaches covers (1,6) for a door. The upper cover (1) has holes (5a, 5b) to receive

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protuberances (8a, 8b) on the side cover (6). Figure 1 shows the upper left connection as an example of the joint for all four corners to close around a glass plate fit into the U-formed portion (11) to create a door. At the time of the invention it would have been obvious for a person of ordinary skill in the art to modify the door of Lee by adding protuberances and holes as taught by Lundgreen to provide a simpler and more rigid edge joint.

Conclusion

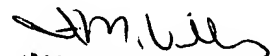
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy M. Ayres whose telephone number is (571) 272-8299. The examiner can normally be reached on MON-THU 8:00 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on (571) 272-6867. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TMA
3/21/07


JANET M. WILKENS
PRIMARY EXAMINER
Art Unit 3637